

BALLON STOLL BADER & NADLER, P.C.

COUNSELLORS AT LAW

FOUNDED 1931

729 SEVENTH AVENUE
17TH FLOOR
NEW YORK, NY 10019-6831
Ph. 212.575.7900
www.ballonstoll.com

January 22, 2016

VIA ECF

Honorable Edgardo Ramos, U.S.D.J.
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York NY 10007

LILY A. OCKERT, ESQ.
(212) 575-7900 ext. 3310
lockert@ballonstoll.com

Re: Shekar v. Delancey's Orchard LLC, et al.
Civil Action No. 15-CV-05022-ER
Our file No. 20019.001

LETTER MOTION FOR EXTENSION OF TIME TO COMPLETE DISCOVERY

Dear Judge Ramos:

We represent Delancey's Orchard LLC d/b/a Freshco Deli and Grocery, Pratik Shah, Kayum Mohammed, and Rishi Shah, defendants in the above-referenced action (collectively "Defendants"). We write jointly with counsel for Plaintiff to request extensions of the current discovery deadlines, as presently set forth in Your Honor's Civil Case Discovery Plan and Scheduling Order dated October 7, 2015. This is the first request to adjourn any discovery dates made by either party.

The parties have completed their Initial Disclosures pursuant to Rule 26 of the Federal Rules of Civil Procedure, and were in the initial stages of discovery. However, on January 4, 2016, Evan Richards, Esq., the attorney handling discovery in the above-referenced case for Defendants, left this firm, Ballon Stoll Bader & Nadler, P.C. ("Ballon Stoll"), with less than a week's notice. As a result of Mr. Richards' sudden, unexpected departure, I was assigned a number of his cases, including, but not limited to, over twenty (20) cases currently in suit. These cases were assigned to me on top of the cases I was already assigned. I have made every effort and have tried very hard to step into these ongoing litigations, as quickly and as seamlessly as possible, but, unfortunately, meeting multiple daily deadlines this month while also having to learn the facts and circumstances surrounding all of Mr. Richards' cases, has made it necessary for me to request extensions of time.

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Further, I have made numerous attempts, via phone and e-mail, to get in touch with our client concerning paper discovery and depositions. Mr. Richards also made numerous attempts prior to his departure, and Mr. Bellovin, the senior partner on the case, has also attempted to get in touch with our client. We have not yet been able to discuss this case with him since Mr. Richards' departure. However, until we can make contact with our client, we are unable to provide the necessary documents to Plaintiff's counsel, which inevitably will delay their ability to depose our client.¹

In light of the above exigent circumstances, an application is made to Your Honor, on consent, to so-order the following, revised discovery schedule in the above-referenced action:

1. Deadline for completion of non-expert depositions: April 15, 2016;
2. Fact discovery end date: May 2, 2016;
3. Deadline for service of expert reports: May 2, 2016;
4. Deadline for rebuttal of expert reports: May 23, 2016;
5. Deadline for completion of expert depositions: June 3, 2016; and
6. Deadline for all discovery to be completed: June 6, 2016.

Respectfully submitted,



Lily A. Ockert, Esq. (LO5687)

cc: Louis Pechman, Esq. (by e-mail)
Counsel for Plaintiff

Marshall B. Bellovin, Esq.

¹ The current discovery schedule is as follows: (1) Deadline for completion of non-expert depositions: January 15, 2016; (2) Fact discovery end date: February 1, 2016; (3) Deadline for service of expert reports: February 1, 2016; (4) Deadline for rebuttal of expert reports: February 22, 2016; (5) Deadline for completion of expert depositions: March 3, 2016; and (6) Deadline for all discovery to be completed: March 2, 2016.